



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,788	02/10/2004	Thomas Rammhofer	588.1011	9360
23280	7590	05/12/2005	EXAMINER	
DAVIDSON, DAVIDSON & KAPPEL, LLC			LAZO, THOMAS E	
485 SEVENTH AVENUE, 14TH FLOOR			ART UNIT	
NEW YORK, NY 10018			PAPER NUMBER	

3745

DATE MAILED: 05/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/775,788

Applicant(s)

RAMMHOFFER ET AL.

Examiner

Thomas E. Lazo

Art Unit

3745

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 6-20 is/are rejected.
- 7) ☒ Claim(s) 3-5,21 and 22 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/10/04 11/12/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 6, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Rehn et al. (6,247,763). Rehn et al. discloses a motor vehicle hydraulic system with a master cylinder 3, a slave cylinder 4, and a hydraulic medium line connecting the master cylinder 3 and the slave cylinder 4, wherein the hydraulic medium line includes a first section 10 and a second section 15, the first and second sections have different wall thicknesses, the first section 10 is made of synthetic material, and outside diameters of the first and second sections are similar and inside diameters are different.

Claims 17-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Orcutt (5,918,640). Orcutt discloses a disengaging system with an inherent plurality of master units (one for service use and another for emergency use), a plurality of slave units 84,86, and transfer devices connecting the master units and slave units to define a master unit slave unit pair, wherein each transfer device includes two interconnected pipes 14,16 for carrying a power transfer medium (air), the interconnected pipes run in parallel, and the interconnected pipes are permanently connected by an axially-running web 18.

Art Unit: 3745

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8-12 and 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asano et al. (4,617,213). Asano et al. discloses a hydraulic system with a hydraulic medium line (brake hose) made of a composite material having an inner layer 1 of a material inert with respect to mineral oil and/or hydraulic fluid, the inner layer 1 is a nylon film, the composite material includes a layer of an elastic material 2, the composite material includes a layer 3 of a material having a high tensile strength in comparison with the elastic material, the material having a high tensile strength is a woven fabric 3, the feeder line is made of a composite material having an inner barrier layer 1, a rubber layer 2 situated above it, a pressure-bearing layer, and an outer rubber layer 5. Asano et al. does not disclose the medium line connecting a master cylinder to a slave cylinder in a motor vehicle.

Official notice is taken that a hydraulic brake hose/medium line is commonly used to connect a master cylinder to a slave cylinder in a motor vehicle. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the hydraulic system of Asano et al to include connecting a master cylinder to a slave cylinder with the hydraulic brake hose/medium line in a motor vehicle as a matter of engineering expedience.

Art Unit: 3745

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Asano et al. in view of Washkewicz et al. (4,699,178). Asano et al. discloses all of the claimed subject matter further including the composite material including a layer of a rayon fiber fabric material. Asano et al. does not disclose that the composite material includes a layer of a metal fabric and/or a fiberglass fabric and/or carbon fiber fabric and/or an aramid fiber fabric.

Washkewicz et al. teaches for a hydraulic medium line made of a composite material having an inner layer 11 of a material inert with respect to mineral oil and/or hydraulic fluid, and that the composite material includes a layer of aramid fiber fabric 12 for the purposes of obtaining rapid hydraulic response in the line. See Washkewicz et al. col. 1, lines 13-15.

Since Asano et al. and Washkewicz et al. are both hydraulic medium lines, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the line of Asano et al., based on the teachings of Washkewicz et al., to have the composite material include a layer of aramid fiber fabric for the purposes of obtaining rapid hydraulic response in the line.

Allowable Subject Matter

Claims 3-5, 21, and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 3745

Prior Art

Prior art made of record but not relied upon is considered pertinent to Applicant's disclosure and consists of four patents.

Itoh (6,564,918), Hiraoka (3,837,166), and Perrinno (3,330,113) are cited to show the medium lines connecting master and slave units in motor vehicles.

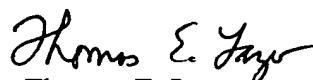
Heyl (1,906,855) is cited to show a long distance conduit with differing wall thickness sections.

Contact Information

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Thomas Lazo whose telephone number is (571) 272-4818. The examiner can normally be reached on Monday-Friday from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Edward Look, can be reached on (571) 272-4820. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to status of this application or proceeding should be directed to the Patent Application Information Retrieval (PAIR) system. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.



Thomas E. Lazo
Primary Examiner
Art Unit 3745

TEL
May 10, 2005